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OFFICE OF PETITIONS

In re Application of	:	
Rea et al.	:	
Application No. 10/569,553	:	DECISION ON PETITION
Filed: February 27, 2006	:	
Attorney Docket Number: 0234900316	:	

This is a decision on the petition, filed July 16, 2007 which is being treated as a petition under 37 CFR 1.181, requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to timely respond to the Office action of December 5, 2006, which set a three (3) month shortened statutory period for reply. Accordingly, a reply was due on or before March 5, 2007.

Petitioner states that a timely reply was submitted on June 5, 2007, which included the following papers: amendment, drawings and a three month request for extension of time. Petitioner has provided a copy of the reply to the Office action. The petition is also accompanied by a stamped postcard receipt dated June 5, 2007. The postcard receipt serves as prima facie evidence of timely receipt of a reply.

Review of the file record shows the originally submitted reply sent and received in the Office on June 5, 2007 has been located.

Accordingly, the holding of abandonment for failure to timely file a reply to the Office action of December 5, 2006 is hereby withdrawn and the application restored to pending status.

This application is being referred to art unit 3721 for appropriate action in the normal course of business.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charlema R. Grant
Petitions Attorney
Office of Petitions